

Notice of Allowability

Application No.

09/863,128

Examiner

Gordon J. Stock

Applicant(s)

DOTY ET AL.

Art Unit

2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment received 12/11/06.
2. ☒ The allowed claim(s) is/are 35-38,40,47,48,50-65.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. The Amendment received on December 11, 2006 has been entered into the record. In addition, Remarks received on November 16, 2006 have been entered into the record.

Drawings

2. The Drawings received on May 22, 2001 are accepted by the Examiner.

Allowable Subject Matter

3. **Claims 35-38, 40, 47, 48, 50-65** are allowed.

The following is an examiner's statement of reasons for allowance:

As to **claim 35**, the prior art of record, taken alone or in combination, fails to disclose or render obvious in a device for detecting ionizing radiation the particular array of wires, in combination with the rest of the limitations of **claims 35, 36, 47/35, 48, 53/35, 54/35, 55-60, 61/35, and 62**. In addition, Bardash (6,278,117) fails to teach the particular array of wires (Bardash discloses two horizontal wires that each intersect approximately half of the vertical array of wires: Fig. 3: 15, 17, and 19) and Butler et al. (4,641,037) fails to teach the particular array of wires intersecting orthogonally (Butler discloses two sets of wires that are orthogonal that do not physically intersect for they are separated by a conductive organic polymer layer: Fig. 1(b): 4a, 4, and 2).

As to **claim 37**, the prior art of record, taken alone or in combination, fails to disclose or render obvious in a device for detecting ionizing radiation a plurality of layers joined together to form a multilayer stack, in combination with the rest of the limitations of **claims 37, 47/37, 48, 53/37, 54/37, 55-60, 61/37, and 62**.

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As to **claim 40**, the prior art of record, taken alone or in combination, fails to disclose or render obvious in a device for detecting ionizing radiation the combination of electrodes and pi-conjugated material is rolled up along their length to form a generally cylindrical-shape structure, in combination with the rest of the limitations of **claims 40, 47/40, 48, 54/40, 55-60, 61/40, and 62**.

As to **claim 50**, the prior art of record, taken alone or in combination, fails to disclose or render obvious in a device for detecting ionizing radiation wherein said electrodes are silicon wafers having prefabricated pulse detection circuitry patterned thereon, in combination with the rest of the limitations of **claims 50, 54/50, 55-60, 61/50, and 62**.

As to **claims 51, 52, 63-65**, the prior art of record, taken alone or in combination, fails to disclose or render obvious in the particular methods of detecting ionizing radiation, tracking particles, tracking neutrons, and detecting d,t reactions respectively 'each wire in the first plurality intersects with each wire in the second plurality, in combination with the rest of the limitations of **claims 51, 52, 63-65** respectively. In addition, Bardash (6,278,117) fails to teach the particular array of wires (Bardash discloses two horizontal wires that each intersect approximately half of the vertical array of wires: Fig. 3: 15, 17, and 19) and Butler et al. (4,641,037) fails to teach the particular array of wires intersecting orthogonally (Butler discloses two sets of wires that are orthogonal that do not physically intersect for they are separated by a conductive organic polymer layer: Fig. 1(b): 4a, 4, and 2).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

4. Applicant's arguments, see Remarks (pages 7-9), filed November 16, 2006, with respect to the objections to the drawings and the previous rejection under 35 U.S.C. 101 have been fully considered and are persuasive. The previous rejection under 35 U.S.C. 101 and the previous objection to the drawings have been withdrawn. In addition, in regards to a tangible result of the detecting the signal step in **claims 51, 63-65** Examiner would like to point out that applicant's disclosure demonstrates a tangible result of detection of the signal with Figure 4 showing detection comprising displaying the signal. In regards to the previous rejections of claim 37, 40, and 50, under 35 U.S.C. 103(a) upon further consideration of the claims in view of the prior art and due to the amendment of the claims, the previous rejection of claims 37, 40, and 50 under 35 U.S.C. 103(a). Please refer to Interview Summary (20061031).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure: U.S. Patent 2,829,264 to Garrison

U.S. Patent 4,857,259 to Bartko et al.

U.S. Patent 5,569,699 to Barthe et al.

US 2003/0025084 to Honda et al.

US 2004/0227095 to Gerstenmayer et al.

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Fax/Telephone Numbers

If the applicant wishes to send a fax dealing with either a proposed amendment or a discussion with a phone interview, then the fax should:

- 1) Contain either a statement "DRAFT" or "PROPOSED AMENDMENT" on the fax cover sheet; and
- 2) Should be unsigned by the attorney or agent.

This will ensure that it will not be entered into the case and will be forwarded to the examiner as quickly as possible.

Papers related to the application may be submitted to Group 2800 by Fax transmission. Papers should be faxed to Group 2800 via the PTO Fax machine located in Crystal Plaza 4. The form of such papers must conform to the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CP4 Fax Machine number is: (571) 273-8300

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gordon J. Stock whose telephone number is (571) 272-2431.

The examiner can normally be reached on Monday-Friday, 10:00 a.m. - 6:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr., can be reached at 571-272-2800 ext 77.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private Pair system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

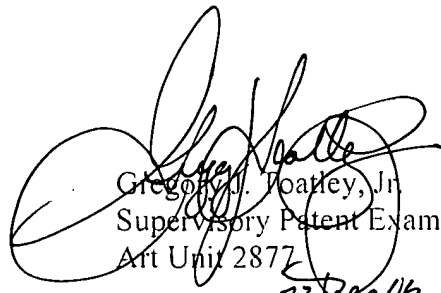
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December 19, 2006


Gregory J. Toatley, Jr.
Supervisory Patent Examiner
Art Unit 2877
22 Dec 16

Gregory J. Toatley, Jr.
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